

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Assessment and Collection of Regulatory Fees for Fiscal Year 2013)	MD Docket No. 13-140
)	
Procedures for Assessment and Collection of Regulatory Fees)	MD Docket No. 12-201
)	
Assessment and Collection of Regulatory Fees for Fiscal Year 2008)	MD Docket No. 08-65
)	

REPLY COMMENTS BY P. RANDALL KNOWLES

1. These Reply Comments are submitted by P. Randall Knowles, holder of Call Sign KAA8142 in the General Mobile Radio Service (GMRS), formerly the Class A Citizens' Radio Service. I have been operating a cooperative shared mobile relay (repeater) in GMRS for over 42 years. My background in many facets of land mobile radio is discussed in greater detail in my Comments in WT Docket 10-119.

2. The General Mobile Radio Service is available to individuals to coordinate their activities and activities of their families. A license authorizes the individual and his family members. Since 1987 (Docket 87-265) licenses are no longer issued to businesses or other entities eligible in other private land mobile 2-way radio services.

3. The question of Regulatory Fees regarding GMRS was discussed at some length in WT Docket 10-119. The record in that Docket overwhelmingly supports that GMRS licensees consider the fee which must be paid when an individual applies for a license is grossly unreasonable, unfair and exorbitant. Almost all comments which addressed unlicensed operation in the GMRS by users of Family Radio Service (FRS) "bubble-pack" radios supported the position that the same is due in great part, if not nearly wholly, to the arbitrary and unreasonable fee to obtain a GMRS license.

4. The Commission itself recognized these facts in MD Docket 08-65, which proposed reducing fees relating to the GMRS. We are still awaiting action on this Docket's proposal for GMRS five years later.

5. Attachment E in this Docket, the "Initial Regulatory Flexibility Analysis", states, in paragraph 4.

"The *FNPRM* seeks comment concerning the adoption and implementation of proposals for FY 2014 and beyond, which include: ... (3) eliminating the regulatory fee component pertaining to General Mobile Radio Service;"

However, careful reading of both the NPRM and the FNPRM in this Docket reveals that there is no mention of eliminating the regulatory fee component pertaining to GMRS whatsoever. Since MD Docket 08-65 is included in this proceeding, one would expect that such a proposal would and should have been included herein.

6. Why does Attachment E make the statement above relating to GMRS when no such proposal appears in the NPRM or the FNPRM herein? Why is MD Docket 08-65 included in this proceeding if no action is taken with respect to the proposal to reduce GMRS fees? When does the Commission intend to finally take action on the MD Docket 08-65 proposal regarding GMRS? Was such a proposal originally included herein but later removed? If so, why?

7. The Comment of Todd Stein is representative of the great frustration of the GMRS community with the delay and lack of action by the Commission on this issue. The record in WT Docket 10-119 establishes that such opinions are the overwhelming majority observation of GMRS users. It also reveals that the small handful of GMRS licensees advocating delicensing (by rule), such as Martin D. Wade, are but a tiny minority amongst the vast majority of GMRS users who recognize that licensing is indispensable to prevent complete destruction of GMRS.

8. As shown by the record in WT Docket 10-119, GMR is very largely a self-disciplined and utilitarian radio service. However, like all radio services, exceptions to the rule require prompt enforcement action by the Commission. Only chaos will result in a complete regulatory vacuum.

9. The GMRS community recognizes that the total fee to apply for a license is comprised of 2 components: the application processing fee of \$60 and the regulatory fee of \$5 per year. The vast majority of licensees (as supported by the record in WT Docket 10-119) realize that without the regulatory fee reasonable enforcement action by the Commission is much less likely, if not impossible.

10. The resulting dilemma for the GMRS community is that, while relief from the regulatory fee would reduce the burdensome total for a license, any reduction in the modest enforcement actions by the Commission would be very conducive to increased blatant violation and clearly not in the public interest.

11. Ideally, the proper solution would be dramatic reduction of the \$60 fee to process license applications.

12. GMRS at one time was subject to extensive technical data on stations, similar to other “commercial” private land mobile operations. Such data included, for example, exact frequencies to be authorized, emission modes to be authorized, station classes to be authorized (such as base, mobile relay, control, mobile, etc.), exact address of each land station, exact latitude and longitude (to nearest second) of each antenna, height above sea level of ground at each antenna, height above ground of each antenna tip, power output of

each class of station, calculation of effective radiated power at each land station antenna, number of each station class (for example mobile units [including portables], etc.

13. However, for some years now, the GMRS application no longer requires *any* technical data. Little more than name and address is now submitted, along with checking a few boxes relating to meeting the minimum age requirement of 18 and the general waiving of certain rights required of all Commission licensees.

14. Under this vastly simplified system of license application, a fee of \$60 to process the paperwork makes no sense whatsoever, and is merely a thinly disguised tax on the general public. The benefit of technical data formerly available to licensees to cooperate in the selection and use of frequencies¹, not to mention resolving interference problems², has been removed, but the fee has not been reduced at all.

15. The GMRS community is under the impression that the application processing fee is mandated by Congress and that the Commission is without the authority to modify it, absent further action from the US Congress.

16. Has the Commission included this issue in its agenda with the Congress in recent years? What action has it recommended to the Congress to combat the problem of unlicensed use of FRS “bubble-pack” radios on GMRS frequencies? The cost of a GMRS license is often *more than twice* the cost of a *pair* of FRS “bubble-pack” radios. No wonder violation is all too often the result.

17. GMRS users believe that the true cost to process their applications is minimal (\$5?), in view of the very limited amount of data to record. This should result in a total cost, with regulatory fee included, of \$30 for a 5-year license, which is reasonable. Not only would such a level dramatically reduce the problem of FRS “bubble-pack” radio users failing to apply for a GMRS licenses, but it would also strongly promote utilization of GMRS by EMA, Civil Defense, Red Cross Disaster Service, National Weather Service Operation SkyWarn (tornado spotting), Salvation Army Disaster Relief, REACT, and other significant public service organizations – whose volunteers should not be discouraged in obtaining licenses to use GMRS 2-way radios *in the public interest*. And, with electronic submission and processing via the internet, the processing cost would be even further reduced.

18. The GMRS community has been waiting much longer than 5 years for the Commission to not only recognize the inequity of the license cost, but to actually take action to address this issue. If the Commission finally proposes to eliminate the regulatory fee component such action would be widely popular, and the FNPRM should be immediately corrected to include the proposal outlined in Attachment E.

¹ Required by FCC Rules and Regulations, §95.3(a)

² Required by FCC Rules and Regulations, §95.3(b)

19. However, the amount of relief would be minimal, in relation to the total cost. And, if the result were to be drastic curtailment or virtual elimination of FCC enforcement, the user community would be adamantly opposed, notwithstanding. Increased chaos from a regulatory vacuum is indisputably not in the public interest.

20. If elimination of the regulatory fee component would not substantially reduce FCC enforcement, then such action would be very welcome indeed. However, such action should be only temporary until more reasonable action from Congress can be forthcoming. As stated above, support of Commission enforcement action in the few exceptional cases of blatant violation is absolutely necessary to preserve the organized utilitarian General Mobile Radio Service that now exists.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, P. Randall Knowles, hereby certify that, on the 26th day of June, 2013, I served a copy of these *Reply Comments of P. Randall Knowles* upon each of the listed parties below, by First Class Mail, postage prepaid.

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